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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMIE FAYE COBAT,

Defendant.

Case No. 3:16-cr-187-MO-1

**MOTION TO STRIKE
CURRENT SENTENCING
DATE**

The defendant, Jamie Faye Cobat, through counsel, Mark Ahlemeyer, respectfully moves the Court to enter an order striking the sentencing hearing currently scheduled for January 5, 2018. The grounds for this motion are that Ms. Cobat, through counsel, will file a motion for a new trial forthwith. The new trial motion is based on the Supreme Court's decision in *Brady v. Maryland*, 373 U.S. 83 (1963), which held that the constitutional right to due process is violated where the government fails to disclose exculpatory evidence to the defense.

An order striking the current sentencing date is appropriate so that the defense motion can be fully briefed and litigated, and also to allow for any additional proceedings such as an evidentiary hearing. Once the Court has ruled on the motion, it will then be in a position to schedule further proceedings in this case, whether that be sentencing or a new trial.

RESPECTFULLY submitted this 27th day of December, 2017.

/s/ Mark Ahlemeyer

Mark Ahlemeyer
Assistant Federal Public Defender